

# IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

An Independent Agency of the Executive Branch

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## BOARD MEMBERS:

James Albert, Chair  
Janet Carl, Vice Chair  
Gerald Sullivan  
Betsy Roe  
John Walsh  
Patricia Harper

## IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

### MINUTES

FEBRUARY 25, 2009

### OPEN SESSION

HELD BY PHONE FROM: Jessie Parker Building, 510 East 12<sup>th</sup>, Des Moines, Iowa

BOARD MEMBERS PRESENT: James Albert, Janet Carl, Gerald Sullivan, Patricia Harper, and Betsy Roe

STAFF PRESENT: W. Charles Smithson, Karen Hudson

1. CALL TO ORDER – The meeting was called to order by Chair Albert at 4:00 p.m.

Pursuant to 21.8 of the Code of Iowa, the meeting was held telephonically because of the impossibility and impracticability of convening an in-person meeting in Des Moines to discuss two agenda items, as well as the urgency of moving the issues forward in advance of the next in-person meeting.

#### 2. PROPOSED DECISION

A. Dubuque County Democratic Central Committee – It was moved by Roe and seconded by Harper to approve the proposed decision. Motion carried.

3. RULES FOR ADOPTION – It was moved by Sullivan and seconded by Harper to approve the rules for adoption. Motion carried.

#### 4. REQUESTS FOR WAIVER OF CIVIL PENALTIES

##### A. Statewide Committees (Rule 351 IAC 4.60)

1. May for Iowa House – It was moved by Sullivan and seconded by Roe to waive the civil penalty assessed for a late-filed October 31, 2008 disclosure report. Motion carried.

2. Emma Nemecek 08 – It was moved by Sullivan and seconded by Roe to reduce the civil penalty to \$25 for a late-filed October 31, 2008 disclosure report. Motion carried.

3. Doug Smith for House – It was moved by Sullivan and seconded by Roe to waive the civil penalty assessed for a late-filed October 31, 2008 disclosure report. Motion carried.

4. People for Gene Manternach – It was moved by Sullivan and seconded by Roe to deny the request for waiver of the civil penalty assessed for a late-filed January 19, 2009 disclosure report. Motion carried.

5. Rebecca Wearmouth for Iowa Senate – It was moved by Sullivan and seconded by Roe to reduce the civil penalty to \$25 for a late-filed October 19, 2008 disclosure report. Motion carried.

6. Hispanics – It was moved by Sullivan and seconded by Roe to deny the request for waiver of the civil penalty assessed for a late-filed October 19, 2008 disclosure report. Motion carried.

7. Home Builders Association of Greater Cedar Rapids – It was moved by Sullivan and seconded by Harper to table this item until the next meeting. Motion carried.

8. Iowa Federation of Animal Owners – It was moved by Sullivan and seconded by Roe to waive the civil penalty assessed for a late-filed October 19, 2008 disclosure report. Motion carried.

9. Iowa Retail PAC – It was moved by Sullivan and seconded by Harper to table this item until the next meeting. Motion carried.

10. College & Young Democrats of Iowa PAC – It was moved by Sullivan and seconded by Roe to deny the request for waiver of the civil penalty assessed for a late-filed January 19, 2009 disclosure report. Motion carried.

11. Citizens for Pat Grassley – It was moved by Roe and seconded by Harper to reduce the civil penalty to \$50 for a late-filed October 31, 2008 disclosure report. Motion carried.

B. County/Local Committees

1. Clarke County Republican Women (Clarke) – It was moved by Sullivan and seconded by Harper to table this item until the next meeting. Motion carried.

2. Green Party of Black Hawk (Black Hawk) – It was moved by Sullivan and seconded by Roe to deny the request for waiver of the civil penalty assessed for late-filed May 19, 2008 and July 19, 2008 disclosure reports. Motion carried.

3. John Haack (O'Brien) – It was moved by Sullivan and seconded by Roe to deny the request for waiver of the civil penalty assessed for a late-filed October 19, 2008 disclosure report. Motion carried.

4. Cara Marker-Morgan for Supervisor (Fremont) – It was moved by Sullivan and seconded by Roe to waive the civil penalty assessed for a late-filed October 19, 2008 disclosure report. Motion carried.

5. Martin for Supervisor (Decatur) – It was moved by Sullivan and seconded by Harper to table this item until the next meeting. Motion carried.

6. Ann Rosenthal for School Board (Linn) – It was moved by Sullivan and seconded by Roe to waive the civil penalty assessed for a late-filed September 4, 2008 disclosure report. Motion carried.

7. Ken Runde for Sheriff Campaign (Dubuque) – It was moved by Sullivan and seconded by Roe to deny the request for waiver of the civil penalty assessed for a late-filed July 19, 2008 disclosure report. Motion carried.

8. Committee to Re-elect Sheriff VanOtterloo (Plymouth) – It was moved by Sullivan and seconded by Roe to waive the civil penalty assessed for a late-filed October 19, 2008 disclosure report. Motion carried.

9. Wapsie Valley KIDS Committee (multiple) -- It was moved by Sullivan and seconded by Roe to reduce the civil penalty to \$50 for late-filed October 19, 2007, December 6, 2007, January 19, 2008, and May 19, 2008 disclosure reports. Motion carried.

10. Jim Wunder Jones County Supervisor Campaign Committee (Jones) -- It was moved by Sullivan and seconded by Harper to table this item until the next meeting. Motion carried.

11. Vermedahl for Supervisor (Benton) -- It was moved by Sullivan and seconded by Roe to waive the civil penalty assessed for a late-filed January 19, 2009 disclosure report. Motion carried.

12. Committee to Elect Marie Press for Ward 2 (Muscatine) -- It was moved by Sullivan and seconded by Roe to waive the civil penalty assessed for a late-filed January 19, 2009 disclosure report. Motion carried.

13. Citizens for Quality Health Care (Crawford) -- It was moved by Sullivan and seconded by Roe to waive the civil penalty assessed for a late-filed January 19, 2009 disclosure report. Motion carried.

14. Committee to Re-elect Bert Muir for Decatur County Sheriff (Decatur) -- It was moved by Sullivan and seconded by Roe to waive the civil penalty assessed for a late-filed January 19, 2009 disclosure report. Motion carried.

C. County Central Committees

1. Dickinson County Democratic Central Committee -- It was moved by Sullivan and seconded by Roe to reduce the civil penalty to \$200 for late-filed May 19, 2008 and July 19, 2008 disclosure reports. Motion carried.

2. Ida County Republican Central Committee -- It was moved by Sullivan and seconded by Roe to reduce the civil penalty to \$10 for a late-filed October 19, 2008 disclosure report. Motion carried.

3. Ringgold County Republican Central Committee -- It was moved by Sullivan and seconded by Roe to deny the request for waiver of the civil penalty assessed for a late-filed July 19, 2008 disclosure report. Motion carried.

4. Wayne County Republican Central Committee -- It was moved by Sullivan and seconded by Roe to waive the civil penalty assessed for a late-filed October 19, 2008 disclosure report. Motion carried.

D. Out-of-State Committees

1. Kutak Rock LLP PAC -- It was moved by Sullivan and seconded by Roe to waive the civil penalty assessed for a late-filed report.

2. Magellan Health Services, Inc. Employee Committee for Good Government -- It was moved by Sullivan and seconded by Harper to table this item until the next meeting. Motion carried.

E. Lobbyists/Clients (Rule 351 IAC 8.12)

1. Dick Stradley -- It was moved by Sullivan and seconded by Harper to table this item until the next meeting. Motion carried.

2. American Chemistry Council – It was moved by Sullivan and seconded by Roe to deny the request for waiver of the civil penalty assessed for a late-filed report. Motion carried.

3. AT&T – It was moved by Sullivan and seconded by Harper to table this item until the next meeting. Motion carried.

4. Communication Workers of America – It was moved by Sullivan and seconded by Roe to deny the request for waiver of the civil penalty assessed for a late-filed report. Motion carried.

5. ING Americas – It was moved by Sullivan and seconded by Roe to deny the request for waiver of the civil penalty assessed for a late-filed report. Motion carried.

6. Iowa Association of Regional Councils – It was moved by Sullivan and seconded by Roe to reduce the civil penalty to \$50 for a late-filed report. Motion carried.

7. Rachel Scott Hoepker – It was moved by Sullivan and seconded by Roe to deny the request for waiver of the civil penalty assessed for a late-filed report. Motion carried.

8. Polk County Medical Society – It was moved by Sullivan and seconded by Roe to deny the request for waiver of the civil penalty assessed for a late-filed report. Motion carried.

9. Danny Wagener – It was moved by Sullivan and seconded by Roe to deny the request for waiver of the civil penalty assessed for a late-filed report. Motion carried.

10. Iowa Dietetic Association – It was moved by Sullivan and seconded by Roe to waive the civil penalty assessed for a late-filed report. Motion carried.

## 5. VIOLATIONS

A. Attribution Statement Violations (Iowa Code section 68A.405) – Received for information. No action taken.

1. JoEllen Jepson
2. Marc Lantz for Sheriff
3. David Gentz
4. John Dutcher
5. Jim Brown for School Board
6. Bowers for Supervisor Committee

B. Late-Filed Statements of Organization (Iowa Code section 68A.201) – It was moved by Sullivan and seconded by Carl to issue a letter of admonishment should be issued to the following committees. Motion carried.

1. Best for Statehouse
2. Sorenson for Statehouse
3. Iowans for Van Fossen
4. Committee to Re-elect Merlin Moore (Jones)
5. Daniel Johnson for Sheriff (Monroe)
6. Koenekke for Supervisor (Delaware)
7. Gary O'Daniels for Supervisor (Union)
8. Drake for Auditor Campaign (Pottawattamie)

9. Richards for Supervisor (Jefferson)
10. Daniel Muhlbauer for Supervisor (Crawford)
11. Kozak Committee (Lucas)
12. Dan Drees for Supervisor (Delaware)
13. Jerry E Wells Candidate for Henry Co Supervisor
14. (Steve) Vary for Hospital Trustee (Crawford)
15. (Virgil) Johnson for Hospital Trustee (Crawford)
16. (Kim) Ingerslev for Hospital Trustee (Crawford)
17. Nurses for Quality Care (Polk)
18. (Kenner) Baxter for Supervisor

C. Late-Filed Notice of Dissolution (Iowa Code section 68A.402B) – It was moved by Sullivan and seconded by Carl to issue a letter of admonishment should be issued to the following committees. Motion carried.

1. Citizens for A Safe Community (Scott)
2. Buck Jones for Sheriff (Lee)
3. Gary O'Daniels for Supervisor Comm. (Union)
4. Committee to Elect Charlene Butz (Polk)
5. Citizens for Pat Holmes (Scott)
6. Vote Plan 2 Coalition (Linn)

6. ADJOURNMENT – The meeting was adjourned at 4:16 p.m.

Respectfully submitted,



Karen Hudson  
Secretary